

10/575208

PB60536USW

IAP9 Rec'd PCT/PTO 10 APR 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Barrett et al.  
Serial No.: To Be Assigned Group Art Unit:  
File Date: Concurrently Herewith Examiner:  
For: PROCESS FOR PREPARING A CO-PRECIPITATE OF A NON-CRYSTALLINE SOLID DRUG SUBSTANCE

**Director of the U.S. Patent and Trademark Office**  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

[ ] Copies of the references are enclosed:  
[ ] Copies of the references were submitted in parent application \_\_\_\_\_ (37 CFR 1.98(d))  
[X] A copy of the International Search Report which issued on International Application No. PCT/US2004/033521 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. [X] The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).  
OR  
[ ] The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action or after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

B. [ ] The Information Disclosure Statement transmitted herewith is being filed after three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but before the mailing date of either:  
(1) a final action under § 1.113 or  
(2) a notice of allowance under § 1.311, whichever occurs first.

[ ] Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

[ ] Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

C. [ ] The Information Disclosure Statement transmitted herewith is being filed after a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

In accordance with the requirements of 37 CFR 1.97(d):

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Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

Applicant hereby petitions for the consideration of the accompanying Information Disclosure Statement. 37 CFR 1.97(d)(ii).

The petition fee set forth in § 1.17(i)(1) (\$130.00) is submitted herewith.

Please charge any required fees to Deposit Account No.07-1392.

A duplicate copy of this paper is attached.

Respectfully Submitted,



Lorie Ann Morgan  
Registration No. 38,181

Date: *10 April 2006*  
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Sheet 1 of 1

Form PTO-1449	U.S. Department of Commerce Patent and Trademark Office	ATTY DOCKET NO. PB60536USW	SERIAL NO. To Be Assigned
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use several sheets if necessary)</i>		APPLICANT Barrett et al.	
		FILING DATE Concurrently Herewith	GROUP

**U.S. PATENT DOCUMENTS**

Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
		US-2003 068381-A1	04 -10 -2003	Albayrak			
		US-5 877 224-A	03 -02 -1999	Brocchini et al.			
		US-6 020 004-A	02 -01 -2000	Shah et al			
		US-6 063 138-A1	05 -16 -2000	Hanna et al.			
		US-6 608 069-A	08 -19 -2003	Daluge et al.			

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date	Country	Class	Subclass	Translation Yes No

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc)**

		GUYOT M. ET AL.; Nifedipine Loaded-Polymeric Microspheres: Preparation and Physical Characteristics; International Journal of Pharmaceutics; 1998; Vol. 175, Issue 1; 61-74;
		VUDATHALA G.K. ET AL.; Microencapsulation of Solid Dispersions: Release of Griseofulvin From Griseofulvin: Phospholipid Coprecipitates in Microspheres; Pharmaceutical Research; 1 June 1992; Vol. 9, Issue 6; 759-763;

Examiner Signature	Date Considered
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	